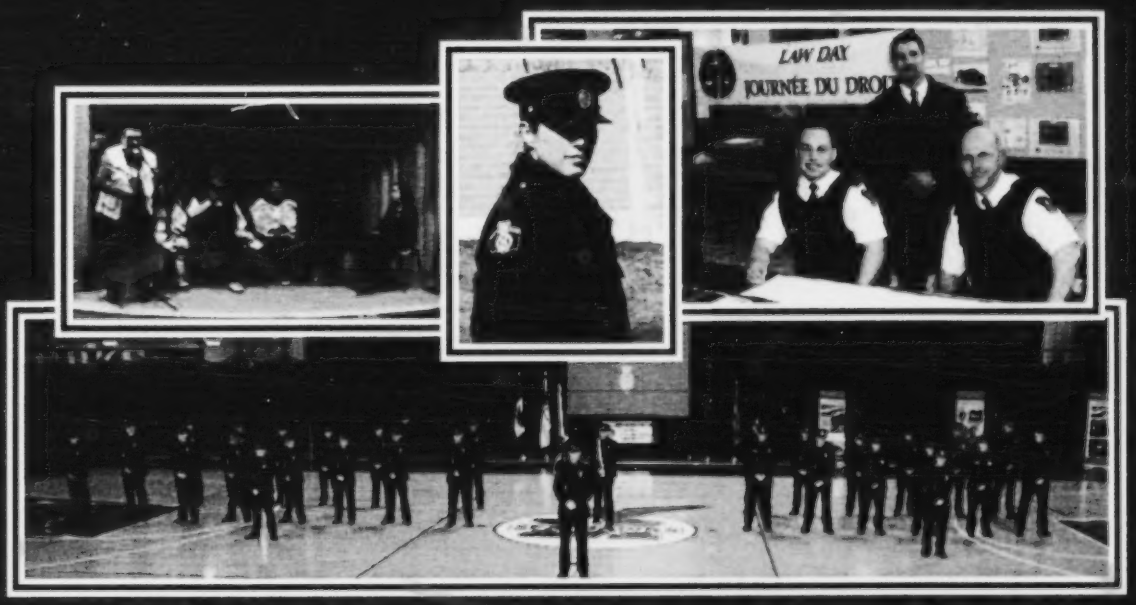
Department of Justice



Annual Report 2007-08

Newfoundland
Labrador

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Message from the Minister

This fiscal year represents the final year of the 2006-08 planning cycle. During this time, the Department of Justice has worked diligently to enhance the services it provides to the people of Newfoundland and Labrador. This Report highlights much of this work and reports on the results achieved towards the accomplishment of the Goals and Objectives for the 2007-08 fiscal year. Key results over the past two years included enhancements to:

- measures to respond to family violence through the enactment of *Family Violence Protection Act*;
- services to clients of the Support Enforcement Division through legislative amendments, new compliance tools and enhanced public awareness; and
- justice services for Aboriginal people and their communities through enhanced interpretation services and translated materials.

Additionally, the Department of Justice responded to the Lamer Commission of Inquiry Report and implemented the privacy provisions of the *Access to Information and Protection of Privacy Act*. As well, during the past fiscal year there have been a number of internal and external reviews of various aspects of the justice system. These reviews have provided an opportunity for the justice system to reflect on the services it provides. In conjunction with the 2008-11 Strategic Plan of the Department of Justice, these reports and recommendations will provide a roadmap for the work ahead.

I would like to take this opportunity to thank all those who have contributed to the achievements to date, including Justice Officials and employees, as well as the many stakeholders and community groups that worked in cooperation with the Department throughout the year.

As Minister of Justice and Attorney General, and in accordance with Government's commitment to accountability, I hereby submit the 2007-08 Annual Report. This Report was prepared under my direction, and my signature below indicates my accountability for the results reported.

Jerome P. Kennedy, Q. C.
Minister of Justice and Attorney General

Performance Summary

Goal 1:	By the end of fiscal year 2007-08, the Department of Justice will have enhanced measures to respond to family violence.
Measure	**Enhanced family violence responses**
Indicators	**Actual Results**
Implementation of family violence legislation	• The *Family Violence Protection Act (FVPA)* came into force on July 1, 2006. • In FY 2006-07 40 one day inter-agency training sessions were delivered in 15 communities with 1,182 participants. Participants included representatives from the Royal Newfoundland Constabulary, Royal Canadian Mounted Police, Provincial Court Staff, other government agencies and community groups with a vested interest in the legislation. By the end of FY 2007-08: • There were 24 information sessions held throughout the Province with 442 participants. • 17 internal information sessions were held. • A network of 28 trainers was established. • 6000 initial *FVPA* brochures were printed and distributed provincially. These brochures were posted online in English and French. • 7000 Emergency Protection Order booklets and 9000 new pamphlets were later printed, translated in Innu-aimun and Innuttitut, and distributed throughout the province.

Goal 2:	By the end of fiscal year 2007/2008, the Department of Justice will have enhanced services to clients of the Support Enforcement Division.
Measure	**Enhanced services**
Indicators	**Actual Results**
Legislative amendments	• The new *Support Orders Enforcement Act, 2006* was proclaimed into force on April 13, 2007.
New compliance tools	• New compliance tools have been implemented. There has been an expansion of the authority to gather information and report to credit agencies. There is now an ability to garnish joint bank accounts, attach pensions, collapse Registered Retirement Savings Plans (RRSPs) and Registered Retirement Income Funds (RRIFs) and suspend driver's licence and big game licence of debtors.
Public awareness	• In 2006-07 a poster campaign was initiated and information bulletins posted on the website at http://www.justice.gov.nl.ca/just/CIVIL/supportenforce.htm. • A new handbook was completed, printed and distributed to all new clients, partnering agencies, libraries and courts. It was also translated into French, Inuttitut and the two Innu-aimun dialects.

Performance Summary

Goal 3:	By the end of fiscal year 2007/2008, the Department of Justice will have encouraged public trust and confidence in the provincial justice system.
Measure	Encourage confidence and trust
Indicators	**Actual Results**
Implement the privacy provisions of the *Access to Information and Protection of Privacy Act*	• The privacy provisions of the *Access to Information and Protection of Privacy Act (ATIPP Act)* were proclaimed in January 2008.
Response to Lamer Inquiry Report	• An internal analysis of the Lamer Commission of Inquiry Report was completed. All recommendations were accepted pending funding support where required and as appropriate. • A $4.9 million phased-in approach was developed to implement all 45 recommendations over three years, beginning in 2007-08. • To date, the majority of these recommendations have been implemented.

Goal 4:	By the end of fiscal year 2007/2008, the Department of Justice will have contributed to enhanced justice services for Aboriginal people and their communities.
Measure	**Enhanced justice services**
Indicators	**Actual Results**
More effective interpretation services	• More effective interpretation services were implemented. • Inuttitut and Innu-aimun lexicons/dictionaries of justice system words and phrases were developed which standardized key terminology for aboriginal interpreters. • An Aboriginal Legal Interpreter Course for Criminal Law was developed and delivered. This included enhanced information for interpreters regarding the justice system, court procedures and standards of practice for interpreters. • The pilot of this course saw 16 Innu and Inuit students graduate in March 2008, resulting in increased numbers of available interpreters. This also created an informal support network between interpreters and program facilitators. • Enhanced understanding of roles and needs through interaction in the classroom between officials working in criminal law and interpreter students.

"The proper administration of justice is a fundamental right for the residents of Newfoundland and Labrador. Our justice system must be fair and accessible and it is the duty of the Department of Justice to ensure these principles are adhered to."

Jerome P. Kennedy, Q. C.
Minister of Justice and Attorney General

Departmental Overview

Vision Statement

A justice system that is accessible and understood, and which plays a key role in creating a fair, equitable and safe society where all people can pursue their lawful rights and freedoms.

The Department of Justice contributes significantly to the well being of the people of the Province, employing approximately 1500 staff including the Royal Newfoundland Constabulary (RNC). Additionally, pursuant to the Provincial Policing Services Agreement between the Province and the Federal Government, the Royal Canadian Mounted Police (RCMP)employ aproximately 435 RCMP officers to provide front line policing services in over 50 locations through the Province. In addition to its focus on criminal law, the Department focuses significant energies on its civil law and public policy functions. These combined functions ensure a stable and democratic society where all citizens can pursue their lawful rights and freedoms.

The Department of Justice provides a range of services to client groups as well as to other departments and to central agencies of government. This reflects the nature of government as an entity for which laws serve both as an instrument and as a restraint.

The dedicated and diverse workforce at the Department of Justice includes lawyers, police officers, social workers, psychologists, correctional officers, youth counsellors, deputy sheriffs, inland fisheries enforcement officers, information management and technology specialists, administrators, financial managers, nurses and educators. With a relatively low degree of staff turnover, the Department of Justice offers its services through a stable and knowledgeable group of professionals with a strong corporate history.

The overall gender breakdown for staffing in the Department of Justice is approximately 47 per cent female and 53 per cent male. Some sectors are still composed of disproportionate numbers of males to females. Advances are being made towards employment equity within these sectors of justice, including policing, corrections, and court security.

Departmental Overview

Departmental Overview

As in previous years, Newfoundland and Labrador remains proud of the fact that the Province is one of the safest in which to live, work and raise a family.

According to the Estimates of the Program Expenditure and Revenue of the Consolidated Revenue Fund 2008-09, the Department of Justice budget is $197,078,500.

The mandate of the Department of Justice derives primarily from the *Executive Council Act*. This mandate reflects the dual responsibilities of its Minister as both Minister of Justice and the Attorney General. While several other Canadian jurisdictions have separate ministries for Justice and Attorney General, the structure is consolidated in Newfoundland and Labrador. The Department of Justice includes responsibility for administering the Province's legal system. The principal components include administration of the courts, policing, adult corrections, secure youth justice services and victim services.

Reflecting the role and authority of the Attorney General, the Department of Justice provides legal services to the Crown including legal advice to departments, litigation, prosecution and legislative drafting services. Within this role, the Department's central agency function requires it to provide ongoing policy advice and direction. This occurs within the Department as well as throughout Government and its agencies on matters of public interest and concern.

While the *Executive Council Act* is the primary legislative authority for the Department of Justice mandate, the policies, services and programs are also governed by 96 pieces of legislation.

Lines of Business

In fulfilling its mandate, the Department of Justice operates in several overall broad capacities:

- as a central agency of government;
- as a direct provider of critical and diverse public services; and
- as an administrator of major societal institutions.

The Department of Justice responsibilities are represented throughout the following distinct lines of business:

- The Office of the Legislative Counsel is responsible for the provision of legislative drafting services to government and, in conjunction with the Office of the Queen's Printer and the House of Assembly, the publication and dissemination of the legislation of the Province.

- Policing Services are delivered through the Province's two policing agencies: the Royal Newfoundland Constabulary and the RCMP. Both police forces are responsible for fostering and maintaining peaceful and safe communities through a full range of policing responses. The Royal Newfoundland Constabulary's largest jurisdiction is the predominately urban northeast Avalon region; additionally there are detachments in Corner Brook, Labrador City and Churchill Falls. The RCMP is responsible for the remainder, approximately 60% of the Province's population, many of whom reside in rural and remote areas.

- Additional Enforcement Services include the Office of the High Sheriff which provides administrative, jury and security services to the Supreme and Provincial Courts; the Support Enforcement Program which collects and distributes court-ordered funds for support; and the Inland Fish Enforcement Program which focuses on activities related to illegal fishing.

- Corrections and Community Services has a dual client focus in having responsibility for offenders as well as for victims of crime. It is responsible for the safe and secure custody of young and adult offenders through correctional centres and secure custody facilities; for providing adult community corrections in the form of probation services; and for providing services to victims of crime involved in the criminal justice system through a regional network of 11 Victim Services Offices. It also provides an Adult Alternative Justice Program to develop innovative, community based responses.

Lines of Business

- Public Prosecutions is responsible for prosecuting all *Criminal Code* and provincial statute matters in the Province. Prosecutors appear in every level of court in the Province and in the Supreme Court of Canada. There are ten Public Prosecutions offices in the Province.
- Civil Law Division is responsible for providing legal services to government departments and agencies. This takes the form of providing legal opinions, drafting commercial and financial documents and representing government and its agencies in negotiations and civil actions before administrative tribunals, all levels of court and judicial inquiries.
- The Access to Information and Protection of Privacy Office oversees the implementation and coordination of the *Access to Information and Protection of Privacy Act*. This legislative regime is designed to create a culture of openness and accountability in the public sector.
- Court Services is responsible for providing infrastructure and administrative support to the Supreme and Provincial Courts.

Did you know.....

The Department of Justice has a Legal Information Management Division. This Division is responsible for serving all the information needs of the Department of Justice. The Department both utilizes and creates vast quantities of legal information, i.e., records and legal research materials in a wide range of different formats, and it is the task of the Division to ensure the efficient usage and storage of this information. There are two major components of the Division:

1) The Justice Law Library and associated collections that handle the legal research needs of the Department, and

2) The Legal Information Management Services which addresses all matters of information and records management. One of the primary functions of Information Management Services is the operation of the Records Centre at Justice Headquarters.

This Record Centre, with 4 employees, processed the following in 2007-08:

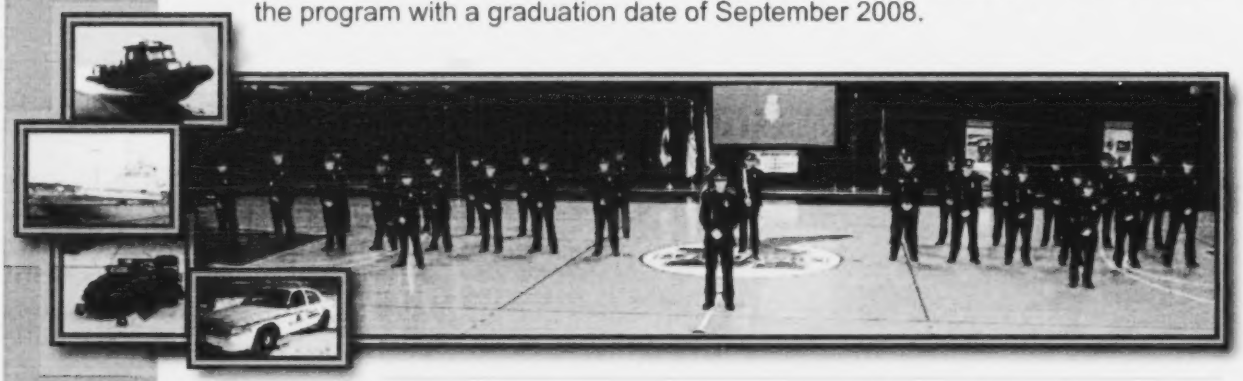
- *9683 faxes were sent and received;*
- *over 11,000 requests for service were handled;*
- *over 2031 new files were created;*
- *9085 pieces of correspondence were entered into the electronic document tracking system; and*
- *over 11,000 active files were housed in the registry.*

Shared Commitments

In working towards the achievement of its 2006-08 strategic directions, the Department of Justice worked with various partners and stakeholders. The following will outline some of those partnerships.

Strategic Direction : Public Protection, Order and Safety

- The Royal Newfoundland Constabulary (RNC) continued to partner with Memorial University to deliver the joint Memorial University/Royal Newfoundland Constabulary Police Studies Diploma Program. In September 2007, 30 recruits graduated from the program and were sworn into the RNC. Additionally, 28 cadets were admitted to the program with a graduation date of September 2008.



- The funding arrangement between the Province and the Royal Canadian Mounted Police (RCMP) continued. The Province funded 70 per cent of the overall operating costs of the RCMP officers who provide provincial policing services.

Strategic Direction : Access to Justice

- The Support Enforcement Division continued its ongoing relationships with governments in other jurisdictions to permit reciprocal enforcement of court orders.
- Criminal Legal Aid services are cost shared between the Province and the Federal Government. During the past fiscal year, the Federal Government funded approximately 25 per cent of the cost of legal aid services in the Province. Until the mid 1980's the Federal Government funded 90 per cent of the cost of legal aid. The Province continues to advocate for increased funding for criminal legal aid and for funding for civil legal aid.

Shared Commitments

Strategic Direction : Aboriginal Responses

- The Department of Justice partnered with Aboriginal groups, the Department of Education, Memorial University of Newfoundland (MUN) and the College of the North Atlantic (CNA) to develop and deliver an Aboriginal Legal Interpreter Course for Criminal Law. Inuttitut and Innu-aimun lexicons of justice system words and phrases were published and printed. The justice system partnered with the CNA to deliver the Aboriginal Legal Interpreter course for Criminal Law in Labrador beginning in January 2008. In March 2008, this pilot course graduated 16 Innu and Inuit students.

Strategic Partnerships

In fulfilling its mandate and supporting government's broad policy and strategic directions, the Department of Justice has developed partnerships locally, nationally and internationally.

The Department of Justice plays a key role in a number of cross-departmental initiatives which support the Strategic Directions of government as follows:

- Violence Prevention Initiative (www.gov.nl.ca/vpi/).
- Northern Strategic Plan (www.laa.gov.nl.ca/laa/nspl/).
- Poverty Reduction Strategy (www.hrle.gov.nl.ca/hrle/poverty/).
- Red Tape Reduction Initiative (www.gov.nl.ca/redtape/).
- The Fines Administration Division of the Department of Justice continues to interact with the Department of Government Services, Motor Registration Division in the collection of fines.
- The Department of Justice has established an ongoing relationship with the Department of Natural Resources for the delivery of the Inland Fish Enforcement Program.

Shared Commitments

The Department of Justice forms partnerships with and provides funding to a number of community groups and non-governmental organizations, including the John Howard Society, Stella Burry Community Services, Community Mediation Services, and the Sexual Abuse Community Services located in Stephenville.

The Department, in conjunction with the Courts, is government's lead department for Family Justice Services. This is a partnership involving the Department of Justice, the Supreme and Unified Family Court, Provincial Court, Department of Human Resources, Labour and Employment, Legal Aid Commission, Community Mental Health Initiative and Justice Canada. Family Justice Services provides support to families dealing with family law issues to assist them to resolve their separation and divorce issues without adversarial processes where appropriate. Specific services include a parent education program, dispute resolution and counseling services to families working through issues of custody, access, and child support and/or spousal support. The service also provides a recalculation service where child support orders are reviewed annually and adjusted if necessary.

Inter-provincial Partnerships:

- The unique relationship between the Department of Justice and the Government of Nunavut continued in 2007-08, as did the Department's commitment to improved responses to aboriginal concerns.

- The Department of Justice is actively involved on the Continuing Committee of Officials on Human Rights (CCOHR).

- The Department participates actively in the ongoing work of various federal, provincial and territorial working groups, such as the Coordinating Committee of Senior Officials (CCSO), Working Group on Access to Justice in Both Official Languages, Aboriginal Justice Strategy, and Aboriginal Court Worker Program.

Continuing Committee of Officials on Human Rights (CCOHR)

The mandate of the CCOHR is to maintain federal-provincial-territorial consultation and coordination on human rights issues, including with respect to the elaboration, ratification and implementation of international human rights treaties.

http://www.pch.gc.ca/progs/pdp--hrp/canada/comite_committee_e.cfm

Shared Commitments

Joint Funding Arrangements:

- Community Tripartite Agreements under the First Nations Policing Policy exist in the communities of Hopedale, Makkovik, Nain and Rigolet.
- The Province also benefits from an ongoing relationship with Correctional Service of Canada. The Province has agreed to adopt federal standards with respect to federal offender programming. This means that provincial corrections staff receive training in the delivery of federal programming, the federal government carries out quality assurance and the Province receives funding from the federal government to accommodate and manage low risk offenders sentenced to federal terms of imprisonment (over 2 years).

International Partnership:

- In 2006-07 the Gendarmes of Saint-Pierre and Miquelon became a partner in the Criminal Intelligence Service of Newfoundland and Labrador. The Criminal Intelligence Service Newfoundland and Labrador is a branch of Criminal Intelligence Service Canada (CISC), a national agency tasked with unifying criminal intelligence units of Canadian law enforcement agencies in the fight against the spread of organized crime in Canada. This partnership continued during the 2007-08 fiscal year and will enhance the exchange of information related to criminal activity affecting Newfoundland and Labrador. RCMP officers work in conjunction with officers from Saint-Pierre et Miquelon.

"Justice is conscience, not a personal conscience but the conscience of the whole of humanity. Those who clearly recognize the voice of their own conscience usually recognize also the voice of justice."

~ Aleksandr Isayevich Solzhenitsyn
(December 11, 1918 – August 3, 2008)

Aleksandr Solzhenitsyn was a Russian novelist, dramatist and historian. Through his writings, he made the world aware of the Gulag, the Soviet Union's labour camp system, and for these efforts, Solzhenitsyn was exiled from the Soviet Union in 1974. He was awarded the Nobel Prize in Literature in 1970. He returned to Russia in 1994. He was the father of Ignat Solzhenitsyn, a conductor and pianist. He died at home after years of declining health on August 3, 2008.
Source: http://en.wikipedia.org/wiki/Aleksandr_Solzhenitsyn

Highlights/Accomplishments

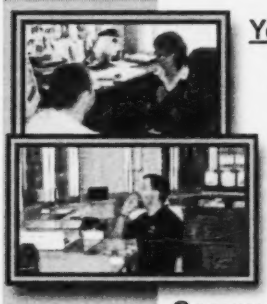
Adult Correctional Facilities:

- 1,732 province-wide admission types for 1,098 clients in FY 2007-08 (Note: some clients had multiple admissions during the fiscal year). The admission types were as follows:
  - 766 provincial terms.
  - 120 provincial intermittents.
  - 122 federal terms.
  - 109 federal parole suspensions.
  - 589 remands.
  - eight immigration orders.
  - 11 provincial parole suspensions.
  - four Judges' orders (i.e. interjurisdiction transfer for court purposes).

Did you know...
$196.23 per day is the average cost to house an inmate in the Province.

Adult Correctional Lock-ups (Corner Brook and St. John's):

- 1,531 province-wide admissions for approximately 1,097 clients (*Note: some clients had multiple admissions during the fiscal year). The admission types were as follows:
  - 789 fresh arrests.
  - 558 admissions as per the *Detained Intoxicated Persons Act.*
  - seven admissions as per the *Mental Health Act.*
  - 177 Warrants of Arrest.



Youth Corrections (Secure):

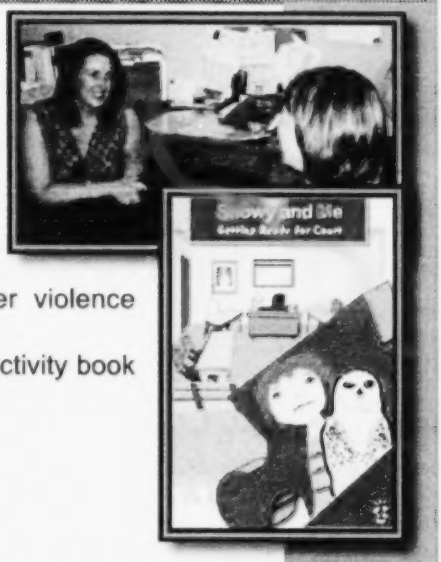
- **St. John's Youth Detention Centre** - 75 admissions to the Pre-trial Services Program for 64 clients.
- **Newfoundland and Labrador Youth Centre -** 364 admissions to overnight, remand and sentenced custody combined for 135 clients.

(Note: some clients had multiple admissions during the fiscal year.)

Community Corrections:

- 498 pre-sentence reports were prepared and submitted to the courts in 2007-08.
- 1,753 individuals were placed on probation supervision and 384 offenders were subject to conditional sentence supervision.
- Building on the training that was conducted last fiscal year, a new comprehensive offender risk assessment, Level of Service/Case Management Inventory, was implemented and automated into the Provincial Corrections Offender Management System (PCOMS).
- All regional probation staff received training in a new program called "Respectful Relationships." This is an educational program which is focused on offender domestic violence. This program is being actively delivered to offenders in all parts of the Province. To date, 49 clients have successfully completed this program.

Highlights/Accomplishments



Victim Services:

- 3,670 new referrals were made.
- Services were provided from 11 locations in the Province.
- Additional testimonial aids (i.e. closed circuit t.v. systems) were acquired for vulnerable witnesses. These systems were installed at the Provincial and Supreme Courts in Gander. This enables vulnerable witnesses to testify from an area outside the courtroom, upon approval by a Judge.
- Community Education Committees were funded to deliver violence prevention education.
- Through funding from the Violence Prevention Initiative, an activity book was developed for children to assist with court preparation.

Support Enforcement Division:

- $27.2 Million in collections for 2007-08.
- 7,447 active cases.
- 44,760 web portal visits.
- The Interactive Voice Response System handled an average of 13,104 calls per month.
- The new *Support Orders Enforcement Act, 2006* was proclaimed on April 13, 2007. The new Act is considered to be one of the strongest pieces of Support Enforcement legislation in the country and has provided the Support Enforcement Division with many new enforcement tools including:
  - Motor Vehicle Licence Suspension;
  - Big Game Suspensions;
  - The ability to collapse pension entitlements;
  - The ability to garnish joint bank accounts;
  - The ability to report debtors to consumer reporting agencies;
  - Joint and several liability of corporations; and
  - The ability to garnish lottery winnings.

- Collections increased by $1.8 million or 6.25 per cent over the previous year.
- The Division was granted an additional Support Enforcement Officer position to address case loads and to enable the Division to better serve its clients.
- A new Support Enforcement Information Guide was created in English, French, Innuttitut and the two Innu-aimun dialects; Mushuau and Sheshashiu. The guide is provided to clients and stakeholders as an aid to understanding how support orders are registered and enforced and is part of the initiative toward easy access to justice services.

The new enforcement tools, additional position, as well as the new Guide have contributed to the achievement of the Strategic Direction titled Access to Justice, but by providing support services for vulnerable people requireing justice services.

Highlights/Accomplishments

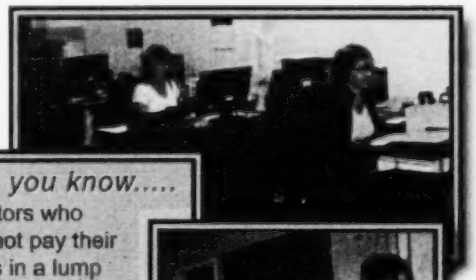
Office of the High Sheriff:

- Escorted 4,600 individuals.
- 4,730 court orders and money judgments registered.
- 5,629 documents served.
- 53,462 Judgement Enforcement Registry searches conducted through the Sheriff's Office website.
- 2,053 Judgement Enforcement Registry searches conducted by staff.
- $2.1 million in revenues.
- Expansion of court security continued with officers present in most Courts by fiscal year end.
- 21 new Sheriff's Officers were sworn in at a ceremony held at the Supreme Court of Newfoundland and Labrador. This increase in court security contributes to the achievement of the Strategic Direction titled Public Protection, Order and Safety.

- The jury database system was expanded to include the MCP and Chief Electoral Office databases. This resulted in an increase in the success rate for service of Jury Summonses from 33 per cent to 91 per cent. The Jurors List Boundaries have also been increased to make anyone living within 25 kilometers of a judicial centre eligible for jury pools.

Fines Administration:

- $8.2 Million collected during 2007-08 of which $6.8 million was provincial revenue and $1.4 million was collected on behalf of third parties.
- Victim Fine Surcharge:
  - $544,595 was collected through the automatic assessment on provincial ticketable offenses.
  - $1,369 was collected through imposition in court.



Did you know.....

Debtors who cannot pay their fines in a lump sum can contact Fines Administration's collection staff to work out a monthly payment arrangement?

Highlights/Accomplishments

Public Prosecutions Division:

- Prosecuted 7,829 cases during 2007-08.
- The Division has 41 Crown Attorneys, 21 support staff and three articled clerks. This is inclusive of the Director of Public Prosecutions Office and Special Prosecutions Office in St. John's and nine other local and regional offices subdivided into four regions province-wide.
- A new "Guidebook of Policies and Procedures for the Conduct of Criminal Prosecutions in Newfoundland and Labrador" was developed and implemented.
- In response to the Lamer Commission of Inquiry Report and in anticipation of the Marshall Report, the Public Prosections Division undertook an internal review known as "Project Phoenix". This project solicited the insights and knowledge of front-line staff regarding organizational structures, work environment, workflow and morale issues. The recommendations from this review cover a broad range of organizational, structural and administrative issues.
- The Division is working in partnership with other stakeholders in the criminal justice system in the development and implementation of specialized criminal courts on the island and in the Labrador portions of the province.

Adult Alternative Justice:

- By the end of the fiscal year, a Provincial Manager and St. John's Regional Case Coordinator were hired.
- A scan of similar programs across Canada was conducted to inform the development of policy, programming and evaluation.
- A steering committee comprised of justice stakeholders was established to inform the development of policy, programming and evaluation from a local perspective.

Highlights/Accomplishments

Royal Canadian Mounted Police (RCMP):

- The RCMP is responsible for 82 per cent of the total land area of the Province, or 303,805.81 km^2 and 59 per cent of the Province's population.
- The RCMP employs three categories of employees; Regular Members (RM) are uniformed and plain clothes police officers; Civilian Members (CM) are specially trained civilians who perform duties in support of police operations and are mainly in Operational Communications and Information Technology Sections; and Public Service Employees (PSE) are civilian employees whose duties are mainly administrative.
- RCMP positions in the province are funded provincially and federally. Provincial Contract positions are cost shared with the Federal Government (70 per cent provincial and 30 per cent federal) and are the front-line operational positions who police and protect our communities. The Province also cost shares with the Federal Government (48 per cent provincial and 52 per cent federal) the Community Tripartite Agreements and some administrative positions. The remaining positions are federally funded.
- In 2007-08, the RCMP maintained approximately 648 permanently established positions in the Province. These position were filled by a permanent workforce of over 655 full-time and part-time employees. A large number of temporary employees, regional resources and auxiliary members also serve the Province.
- The RCMP serve their communities from 44 detachments, 11 satellite/ storefront/patrol cabins and approximately 150 RCMP owned residences within RCMP jurisdiction.

Key Successes in 2007-08:

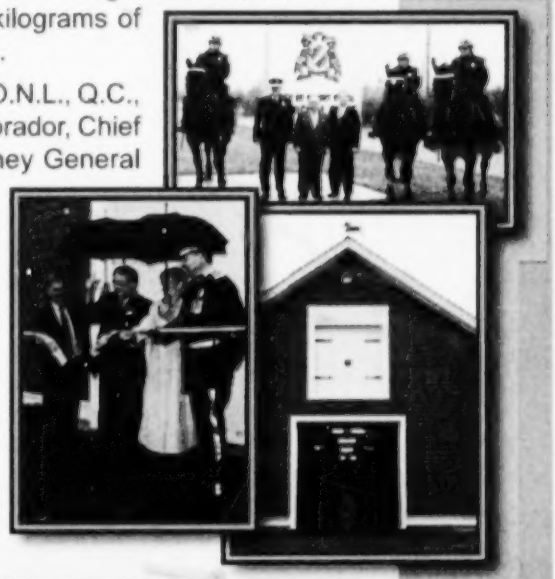
- The RCMP Traffic Services Unit's and Customs and Excise Unit's enforcement initiatives were very successful as a direct result of increased resources and a focused strategic plan. In 2007, contraband seizures increased 108 per cent over 2006. Total seizures equated to over 2,631,200 contraband cigarettes.
- In the first quarter of 2008, Traffic Services members seized $1,365,000 worth of illegal contraband and $2,374,000 worth of illegal drugs.
- A province-wide tactic to reduce serious injury from ATV accidents reduced off-road fatalities in 10 out of 11 districts and injury accidents were reduced or remained on par in seven of 11 districts. Strong community support contributed greatly to this success.
- Over 13,470 youth across the Province attended presentations on illegal and illicit drugs, alcohol abuse and peer pressure. The RCMP led community programs resulted in: fewer youth crimes in some Labrador communities; increased recreational activities in Nain and Sheshashiu; and over $1 Million fund-raised to help build a Hopedale arena.

To read the RCMP: 2007-08 Annual Report, Newfoundland and Labrador "B" Division in full please visit : http://www.rcmp-grc.gc.ca/nl/Annual%20Reports/annualreport_07_08_e.htm

Highlights/Accomplishments

Royal Newfoundland Constabulary (RNC):

- In 2007-08, the RNC comprised 355 non-commissioned officers, 17 commissioned officers and 103 civilian members.
- The RNC is responsible for 18 per cent of the total land area of the province, or 71,719 km^2 and 41 per cent of the Province's population.
- 208,708 people were served in three geographic areas; the Northeast Avalon, Corner Brook and Labrador West (which includes the communities of Labrador City, Wabush and Churchill Falls).
- The RNC's complement of police officers increased by eight new positions and the civilian complement was increased by one. Six of these new officers, plus an additional RNC Canine Unit in St. John's, were assigned to the Drug Investigations Unit. One police officer and one civilian position were added to an existing police officer position to form a new police unit dedicated to combating the sexual exploitation of children and internet crimes. These investments in the RNC's complement of police officers contributes towards the achievement of the Strategic Direction titled Public Protection, Order and Safety.
- In October, 2007 the RNC concluded an 18 month operation titled "Operation Roadrunner". This resulted in the seizure of $324,000 cash, a total of 61 pounds of marihuana and a total of eight kilograms of cocaine. Throughout the investigation there were nine persons arrested and charged with Possession for the Purpose of Trafficking. Additionally, three major conspiracies involving 62 criminal charges alleged to have been committed by 14 people were presented to the courts.
- In June 2008 the RNC conducted a major drug bust, which was the largest single drug seizure in its history. Approximately $5,800,000 in drugs was seized, which included 621 pounds of cannabis marihuana, four kilograms of Hash, one kilogram of cocaine and 500 Ecstasy pills.
- On November 2, 2007, His Honour Edward Roberts, O.N.L., Q.C., former Lieutenant Governor of Newfoundland and Labrador, Chief of Police J.F. Browne, Minister of Justice and Attorney General Jerome Kennedy, Q.C., Honourary Inspector William Bradley, and RNC Padre Father William Browne officially opened a stable on Historic Government House Grounds as the new home of the RNC Mounted Unit.
- The RNC will now be providing their own housing in Churchill Falls. In this fiscal year a home was constructed in Churchill Falls for one RNC Officer. Additionally, a duplex is planned to be constructed during 2008-09 for the remaining RNC Officers in that community.



Highlights/Accomplishments

Civil Division:

- This Division comprises five units and, in collaboration with Public Prosecutions, has an Articling Program.
- The Division is also supported by seven legal secretaries and a clerk typist, each of whom is responsible for the administrative requirements of five lawyers. These administrative professionals perform specialized clerical work in the legal field on behalf of government in areas that require a high degree of confidentiality and accuracy.

Family Litigation Unit

- This Unit comprises seven lawyers (including a Manager) dealing with child protection issues throughout the Province.
- Three of the seven lawyers are located in areas outside St. John's, in Grand Falls-Windsor, Corner Brook and Happy Valley-Goose Bay. This is noteworthy because it is the first time the Civil Division has had lawyers living and practicing outside of the headquarter's site in St. John's. These lawyers are acting on behalf of the Regional Directors of Child, Youth and Family Services, a part of the Regional Health Authorities, which is outside of the usual departmental structure. They provide advice and representation in all levels of courts.

Resources and Regulatory Unit

- This Unit consists of six lawyers (including a Manager) who provide legal services to a variety of government departments, agencies and Crown corporations, with Municipal law being a key function of this Unit. On an ongoing basis, several sections of the economy interact with Government including pulp and paper, mining, agricultural and wildlife. In addition, all environmental activities are monitored by Government. The lawyers in this Unit are engaged in all aspects of these activities including contract drafting and legislative interpretation.

Central Agencies & Justice Policy Unit

- This Unit consists of 10 lawyers (including a Manager) and provides specialist legal services to all government departments in the areas of constitutional law and aboriginal law and full range legal services to the Departments of Labrador and Aboriginal Affairs, Justice, Health and Community Services, Education, the Intergovernmental Affairs Secretariat (Executive Council) and the Public Service Commission.
- In 2007 in response to identified client need a solicitor was added to the Unit to provide an additional legal resource to the Department of Health and Community Services (Child Youth and Family Services Division, including Adoptions, Child Care Services and Youth Criminal Justice).

Highlights/Accomplishments

Litigation Unit

- The Unit consists of eight lawyers (including a Manager). The Province's litigators represent the Province before Administrative Boards, Adjudication Panels, Tribunals, and all levels of Court, including the Supreme Court of Canada.
- In 2007-08 this Unit opened 74 new files and closed 180. Of the closed files 18 matters were settled at a total cost of $2.6 million; six were discontinued against the Province; 37 were adjudicated, and 119 were closed as a result of the Unit's ongoing review of active/dormant files.
- The Province obtained a successful result in 83 per cent of all matters resolved through adversarial processes, a mixed result in seven per cent and an unsuccessful result in 10 percent. All unsuccessful results were clarifications of the Province's obligations in particular matters and none resulted in pay out of money. This success rate is attributable to the comprehensive liability and risk assessment which occurs on each file.

Corporate Commercial Unit

- This Unit is composed of nine lawyers (including a Manager). Members of the Corporate Commercial Unit were engaged in multiple, significant and complex commercial transactions in the past year, including negotiations on the Hebron Development and the divestiture of Fishery Products International. Three commercial solicitor positions were added to the Unit to assist in distributing responsibility in the face of increasing client requirements. The Unit was responsible for developing a standardized consultant agreement for use across Government and plans to expand its efforts in this area to standardize other commercial arrangements.

Articling Program

- This Program was reinstated in 2007 with the hiring of five law school graduates.
- The Program provides a significant legal research resource to the Department. It also contributes to formation of new lawyers in the area of public and criminal law.

Office of the Legislative Counsel:

- Drafted 32 pieces of legislation. This number is lower than average because the legislature did not sit in Fall 2007 due to the provincial general election.
- Drafted 104 pieces of subordinate legislation which were registered and then published in the Gazette.

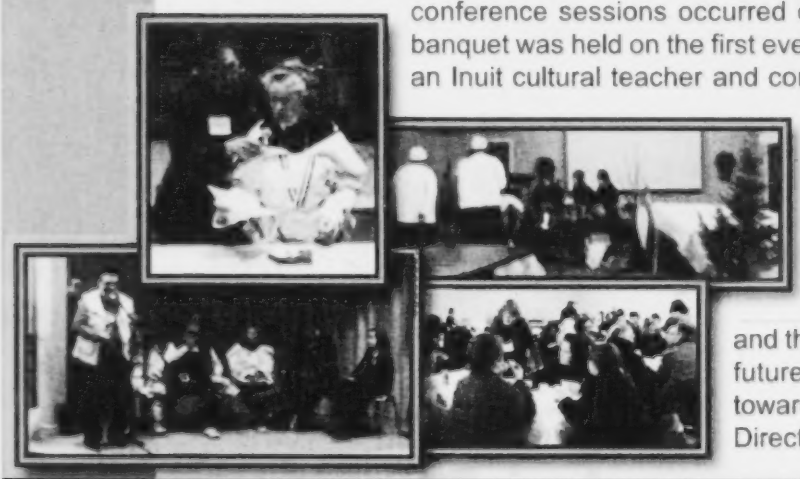
Highlights/Accomplishments

Access to Information and Protection of Privacy Office:

- 460 requests for information received.
- Individuals were the most frequent requestors (264 requests), with the media being the next most frequent requestors (114 requests).
- The departments which received the most requests for information were:
  1. Environment and Conservation - received 35 requests (eight per cent of total)
  2. Justice - received 30 requests (six and one half per cent of total)
  3. Government Services - received 21 requests for information (four and one half per cent of total)
  3. Natural Resources - received 21 requests each (four and one half per cent of total)
- In January 2008, the Privacy Provisions of the *Access to Information and Protection of Privacy Act* were proclaimed. This contributed towards the achievement of the Strategic Direction titled Public Trust and Confidence.

Aboriginal Justice Conference:

On March 6-7, 2008 the Department of Justice held an Aboriginal Justice Conference entitled "Voices of a New Day: Extending a Feather and Lighting the Kullik". This professional development event was organized to enhance the understanding and sensitivity of Department of Justice staff to the culture, history and traditions of Aboriginal people in the Province. The goal was to increase the effectiveness and accessibility of justice services. Funding was provided by the Province's Northern Strategic Plan. The conference took place in North West River and Happy Valley-Goose Bay. An Aboriginal conference advisory committee consisting of representation from each of the Aboriginal groups in the Province was established to assist in determining the agenda for the conference. Approximately 85 Justice staff from various regions of the province attended. The conference provided an opportunity for Aboriginal speakers to serve as teachers to an audience of Justice personnel. A combination of both traditional and experiential conference sessions occurred over the period of the two days. A banquet was held on the first evening with guest speaker Peter Irniq, an Inuit cultural teacher and consultant. Justice Patrick Sheppard from Toronto was the keynote speaker for Day 2, and he spoke of his work with the Aboriginal Peoples' Court. Feedback from both participants and presenters indicate that the conference was successful in meeting its goals, and there was much interest expressed in future related events. This contributed towards the achievement of the Strategic Direction titled Aboriginal Responses.



Mission

The mission statement identifies the priority focus areas of the Minister over two planning cycles. The first planning cycle concluded on March 31, 2008 and the second planning cycle began on April 1, 2008 and will conclude on March 31, 2011. The mission represents the key longer-term results that the Minister and the Department will be looking towards in moving forward on the strategic directions of Government. The statement identifies the measures and indicators that will assist the Department and the public in monitoring and evaluating success. Key aspects of the current mission statement include improving public access and confidence in the justice system. The Department has already completed work that contributes to the accomplishment of this mission. The majority of the Lamer Commission of Inquiry recommendations have been responded to and family violence legislation has been proclaimed. Some of the results to date are reported below, with a full report on the mission to be reported in the Annual Report for 2010-11.

Mission:	By 2011, the Department of Justice will have enhanced services and responses in the provincial justice system to improve public access to and confidence in the system.
Measure	**Enhanced services and responses related to public access and confidence**
Indicators	**Actual Results**
Respond to Inquiry findings	The Department has responded to a majority of the Lamer Commission of Inquiry recommendations. Further work will continue during 2008-11.
Introduce family violence legislation	The *Family Violence Protection Act* was proclaimed into force on July 1, 2006.
Plan and implement government decisions with respect to: • Criminal and civil legal aid • Aboriginal issues • Policing and Correction Services • Court system	• Inuttitut and Innu-aimun lexicons of justice system words and phrases in the area of criminal law were published and printed. • An Aboriginal Legal Interpreter Course for Criminal Law was developed and delivered. The pilot of this course saw 16 Innu and Inuit students graduate from the training program in March 2008. • Translated resource materials for Innu and Inuit communities have been increased. This work is ongoing and will continue as priority needs are identified. • Development of an English-Inuttitut-Innu-aimun-French court preparation website began in 2007-08.

Outcomes

Issue 1: Public Protection, Order and Safety

The strategic issue of public protection, order and safety, is complex with many priority areas. While work continued in all the priority areas, the Department of Justice enhanced its focus on measures to address the issue of family violence during this planning cycle. This work contributes towards the achievement of the Strategic Direction titled Public Protection, Order and Safety. The *Family Violence Protection Act* provides a broader range of and more immediate remedies to victims of family violence than those available through the *Criminal Code of Canada*. It allows for an Emergency Protection Order (EPO). This order can be granted by the Provincial Court in urgent situations to provide immediate protection when family violence has occurred. The EPO is meant to offer an immediate response and to provide time to put longer term plans in place. For further information on the *Family Violence Protection Act (FVPA)* and EPOs please visit http://www.justice.gov.nl.ca/just/Family_Violence_ Protection_Act.htm .

Goal 1:	By the end of fiscal year 2007-08, the Department of Justice will have enhanced measures to respond to family violence.
Measure	**Enhanced family violence responses**
Indicators	**Actual Results**
Implementation of family violence legislation	• The *Family Violence Protection Act* came into force on July 1, 2006. • In FY 2006-07 40 one day inter-agency training sessions were delivered in 15 communities with 1,182 participants. Participants included representatives from the RNC, RCMP, Provincial Court Staff, other government agencies and community groups with a vested interest in the legislation. By the end of FY 2007-08: • There were 24 information sessions held throughout the Province with 442 participants. • 17 internal information sessions were held. • A network of 28 trainers was established. • 6000 initial *Family Violence Protection Act* brochures were printed and distributed provincially. These brochures were posted online in English and French. • 7000 EPO booklets and 9000 new pamphlets were later printed, translated in Innu-aimun and Innuttitut, and distributed throughout the province.

Objective:	By the end of fiscal year 2007-08, the Department of Justice will have evaluated the implementation of the *Family Violence Protection Act.*
Measure	**Evaluation of the implementation of the Act**
Indicators	**Actual Results**
Number of Emergency Protection Order (EPO) applications including gender and geographic location	• Between July 1, 2006 and December 7, 2007, Provincial Courts throughout the Province received 175 requests for EPOs. • 95.4 per cent applications were from female applicants with only 4.6 per cent male applicants. • Age of applicants ranged from 18 to 77 years. Age of respondents ranged from 20 to 77 years. • All Court Centres except Clarenville have received applications for EPOs with the majority of applications (54.3 per cent) being in the St. John's area.
Number of EPOs granted including duration, nature of conditions as well as the number of review hearings and breaches of the legislation	• EPOs were granted in 83.4 per cent of the requested applications. Of the 175 applications, 146 orders were granted, and 20 denied. The remaining nine were noted to be withdrawn, pending, or no action taken. • There were 24 applications by respondents to set aside the EPO and 40 applications by respondents and/or applicants to vary or terminate the order. • Additional information regarding duration, nature of conditions, and numbers of breaches was also collected manually and electronic mechanisms to collect this information are being explored.
Invite applicant feedback	• Applicant feedback has been invited. A sample of clients consented to be part of a long term evaluation process regarding their experience.
Assess the training to departmental staff and community stakeholders regarding new family violence legislation	• The evaluation consisted of written and verbal feedback. Results indicated that the majority of participants felt the training was comprehensive and met their informational needs.

Outcomes

Issue 2: Access to Justice

Access to justice is a broad issue with many facets. One component is the enforcement of court ordered child and spousal support payments. The Department focused on improving responses and access to the many clients who require assistance from the Support Enforcement Division. This shows how the Department is committed to directing energies to assist vulnerable individuals, many of whom are women and children dependent on enforcement of court-ordered support. This work contributed towards the achievement of the Strategic Direction titled Access to Justice.

Goal 2:	By the end of fiscal year 2007/2008, the Department of Justice will have enhanced services to clients of the Support Enforcement Division.
Measure	**Enhanced services**
Indicators	**Actual Results**
Legislative amendments	• The new *Support Orders Enforcement Act, 2006* was proclaimed into force on April 13, 2007.
New compliance tools	• New compliance tools have been implemented. There has been an expansion of the authority to gather information and report to credit agencies. There is now an ability to garnish joint bank accounts, attach pensions, collapse Registered Retirement Savings Plans (RRSPs) and Registered Retirement Income Funds (RRIFs) and suspend driver's licence and big game licence of debters.
Public awareness	• In 2006-07 a poster campaign was initiated and information bulletins posted on the website at http://www.justice.gov.nl.ca/just/CIVIL/supportenforce.htm. • A new handbook was completed, printed and distributed to all new clients, partnering agencies, libraries, and courts. It was also translated into French, Inuttitut and two Innu-aimun dialects.

Objective: By the end of fiscal year 2007/2008, the Department of Justice will have more effectively facilitated client financial support services.	
Measure	**Improved financial support services**
Indicators	**Actual Results**
Creation of Interjurisdictional Support Unit within existing complement	• Unusually high staff turnover impeded the creation of this unit. High turnover has created a training burden which must be addressed prior to any change in the division's structure. This has been deferred to fiscal year 2008-09.
Implementation of Phase II of Web Portal permitting e-mail notification of support payments and e-mail access between clients and case workers	• Phase II of the Web Portal is currently in development by the Office of the Chief Information Officer (OCIO). It is scheduled to be implemented by the end of fiscal year 2008-09. Delays were experienced in the completion of this initiative due to competing priorities of the OCIO and unexpected technical issues that required additional time.
Creation of interface with the federal Department of Justice Family Orders and Agreements Enforcement Agency	• This is in final testing and is targeted to be operational by the end of fiscal year 2008-09.
Creation of interface with the Judgement Enforcement Registry	• A review of the existing systems has been conducted and construction is currently in progress with the OCIO. Delays were experienced in the completion of this initiative due to competing priorities of the OCIO and unexpected technical issues that required additional time.
Issue a new handbook for Support Clients Translate information and awareness materials into French, Inuttitut and Innu-aimun	• A new handbook was completed, translated, printed and distributed to all new clients, partnering agencies, libraries, and courts. This handbook is also available online at http://www.justice.gov.nl.ca/just/ CIVIL/supportenforce.htm .
Establish pre-authorized debit service for payors	• Pre-authorized debit service for payors is operational. Visa, MasterCard and debit card payment methods are now available.
Establish electronic transfer of funds to other jurisdictions	• OCIO is currently working toward the creation of this initiative as part of the overall financial service improvement plan. Delays were experienced in the completion of this initiative due to competing priorities of the OCIO and unexpected technical issues that required additional time.

Outcomes

Issue 3: Public Trust and Confidence

Public trust and confidence in the justice system is important so that people and institutions can have faith in the fairness of its processes and participate meaningfully when required to do so. The Lamer Commission of Inquiry was tasked with conducting a public inquiry into various aspects of the administration of justice in Newfoundland and Labrador. It presented its report to government in May 2006, which contained 45 recommendations. To date, the majority of these recommendations have been implemented.

Additionally, the Department implemented the privacy provisions of the *Access to Information and Protection of Privacy Act (ATIPPA)*. These provisions established protocols which are to be followed by all Provincial Government departments and public bodies that collect, use and disclose personal information of citizens. As well, the privacy provisions allow citizens the right to request access to, and correction of, their personal information as well as the right to know why their information is being collected and how it is used.

The response to the Lamer Commission of Inquiry and the implementation of the privacy provisions in *ATIPPA* were critical areas of focus for the Department in contributing towards the achievement of the Strategic Direction titled Public Trust and Confidence. This work also reflects Government's commitment to the people of the Province.

Goal 3:	By the end of fiscal year 2007/2008, the Department of Justice will have encouraged public trust and confidence in the provincial justice system.
Measure	Encourage confidence and trust
Indicators	**Actual Results**
Implement the privacy provisions of the *Access to Information and Protection of Privacy Act*	• The privacy provisions of the *ATIPP Act* were proclaimed in January 2008.
Response to Lamer Inquiry Report	• An internal analysis of the Lamer Commission of Inquiry Report was completed. All recommendations were accepted pending funding support where required and as appropriate. • A $4.9 million phased-in approach was developed to implement all 45 recommendations over three years, beginning in 2007-08. • To date, the majority of these recommendation have been implemented.

Outcomes

Objective:	By the end of fiscal year 2007/2008, the Department of Justice will have implemented the privacy provisions in the *Access to Information and Protection of Privacy Act.*
Measure	Implementation of part IV of the Act
Indicators	**Actual Results**
Assess privacy readiness	• Annual Privacy Checklists were implemented within Departments by May 2007.
Assist departments to develop privacy plans	• During the fiscal year Senior Privacy Analysts worked with departments to identify and develop privacy plans. Work is ongoing in the development of plans and implementation of best practices for privacy.
New polices and protocols developed	• New policies and protocols were developed and finalized in January 2008. There is a Privacy Policy & Procedures Manual and a Privacy Breach Protocol.
Training program developed	• A training program was developed. This program is comprised of an introduction to *ATIPP Act*, Privacy Breach Protocol and Privacy tools.
Training sessions held for staff of government departments, agencies and municipalities	• Training sessions were provided for all government departments, over 35 agencies, boards and commissions, as well as at the Municipalities of Newfoundland and Labrador Annual Convention.
Communities of practice discussions continued	• Regular Community of Practice discussions were continued with Government Departments, Agencies, Health Authorities, and Educational Authorities. These sessions are general information sharing sessions where departmental coordinators share common questions about ATIPP, are informed of new developments and generally build capacity in departments.

Outcomes

Issue 4: Aboriginal Issues

There are challenges and complexities in delivering justice services to Aboriginal communities. Federal-provincial lines of authority and responsibility, language barriers, cultural sensitivity and self-government issues, for example, mean that an extra level of attention is required in making justice services more meaningful for Aboriginal people. The determined efforts of aboriginal communities and their representatives to raise justice issues on the public agenda combined with Government's stated intentions to improve its response define this key strategic issue for the Department of Justice. The Department focused significant resources to enhance interpretation and translation capacity within the system which contributes towards the achievement of the Strategic Direction titled Aboriginal Responses. Work will continue in this area in 2008-11 planning cycle with the implementation of a family law component to the interpretation course and further translation of Departmental materials.

Goal 4:	By the end of fiscal year 2007/2008, the Department of Justice will have contributed to enhanced justice services for Aboriginal people and their communities.
Measure **Indicators**	**Enhanced justice services** **Actual Results**
More effective interpretation services	• More effective interpretation services were implemented. • Inuttitut and Innu-aimun lexicons/ dictionaries of justice system words and phrases were developed which standardized key terminology for aboriginal interpreters. • An Aboriginal Legal Interpreter Course for Criminal Law was developed and delivered. This included enhanced information for interpreters regarding the justice system, court procedures and standards of practice for interpreters. • The pilot of this course saw 16 Innu and Inuit students graduate in March 2008, resulting in increased numbers of available interpreters. This also created an informal support network between interpreters and program facilitators. • Enhanced understanding of roles and needs through interaction in the classroom between officials working in criminal law and interpreter students.

Outcomes

Objective:	By the end of fiscal year 2007/2008, the Department of Justice will be more effectively delivering interpretation services to aboriginal people involved in the justice system.
Measure **Indicators**	**Effective delivery of interpretation services** **Actual Results**
Commence implementing recommendations contained in the "Aboriginal Interpretation Services in the Justice System Report"	• Implementation of the recommendations was commenced with four completed and the remainder ongoing.
Establish a Labrador Advisory Committee for the Interpretation Strategy	• A Labrador Advisory Committee for the strategy was established to support the process. Membership was comprised of CNA personnel, Justice Officials and Aboriginal Representatives.
Partner with Memorial University of Newfoundland and aboriginal interpreters to develop a Inuttitut and Innu-aimun lexicon/ dictionary of justice system words and phrases	• Five workshops were held between MUN, Interpreters, Public Legal Information Association of Newfoundland and Labrador (PLIAN) and justice officials to facilitate the development of Inuttitut and Innu-aimun lexicons/dictionaries. These lexicons/ dictionaries, which contain 500 criminal law words, were published, printed and distributed to stakeholders.
Collaborate with the Department of Education, Memorial University of Newfoundland (MUN) and the College of the North Atlantic (CNA) to develop an Aboriginal Legal Interpreter course	• An Aboriginal Legal Interpreter Course for Criminal Law was developed. The development was coordinated by a steering committee composed of representatives of the Department of Justice, the Department of Education, MUN and CNA. A consultant was hired to assist with curriculum development.
Partner with the College of the North Atlantic to deliver an Aboriginal Legal Interpreter course in Labrador	• The justice system partnered with the CNA to deliver the Aboriginal Legal Interpreter course for Criminal Law in Labrador. The pilot saw 16 Innu and Inuit students graduate from the training program in March 2008.
Increase translated resource materials for Innu and Inuit communities	• Translated resource materials for Innu and Inuit communities has been increased (e.g. the *Family Violence Protection Act* Brochure, which can be found at http://www.justice.gov.nl.ca/just/Family_ Violence_Protection_Act.htm). Areas of the justice system have identified priority needs and this work is ongoing and will continue as further priority needs are identified.
Begin development of English-Inuttitut-Innu-aimun-French court preparation website.	• Development of an English-Inuttitut-Innu-aimun-French court preparation website began.

Opportunities and Challenges

Every day, changes in technology, increasingly complex crimes and evolving needs of clients contribute to new opportunities and challenges in the administration of justice. This section will highlight some of the key opportunities and challenges facing the justice system at this time.

An ongoing challenge for the justice system, as with other organizations, is to efficiently and effectively meet the needs of its clients, particularly when those needs are diverse and changing. The Department recognizes that a "one size fits all" approach does not work in every situation. Over the next year, the Department will focus on three initiatives: A Gladue Aboriginal Peoples' Court, a Specialized Family Violence Treatment Court and an Adult Alternative Justice Program.

Criminal Code of Canada

s. 718.2(e)

718.2 A court that imposes a sentence shall also take into consideration the following principles:

(e) all available sanctions other than imprisonment that are reasonable in the circumstances should be considered for all offenders, with particular attention to the circumstances of aboriginal offenders.

The Department is committed to addressing the justice-related needs of Aboriginal People. The Department of Justice will explore the feasibility of a Gladue Aboriginal Peoples' Court in Labrador, which has been successfully implemented in other jurisdictions. The purpose of the Gladue Court is to apply section 718.2(e) of the *Criminal Code* as interpreted by the Supreme Court of Canada, namely to consider the circumstances of Aboriginal Offenders when deciding upon the sentence.

The Department will also pilot a Specialized Family Violence Treatment Court in St. John's. This specialized court will address criminal charges related to family violence while addressing root causes of this violence.

Additionally, the Department will implement an Adult Alternative Justice Program. This program will seek to collaborate with partners to develop innovative, community based responses to crime and harm. The goal of the program is to build community capacity to deliver a range of alternative responses in the justice process, thereby enhancing access to the justice system.

Each of these new initiatives will require research on best practices in other jurisdictions, collaboration with relevant stakeholders to inform initiative development and an evaluation component to ensure that we are meeting client needs as efficiently and effectively as possible. This work will be challenging. However, it will provide an opportunity to enhance justice system responses, as well as facilitate access to justice using innovative methods. Ensuring and maintaining public trust and confidence is an ongoing challenge for the Department.

Opportunities and Challenges

Significant efforts have been made to enhance public trust and confidence in the justice system. Specifically, most of the recommendations of the Lamer Inquiry Report (http://www.justice.gov.nl.ca/just/lamer/) have now been implemented.

May 30, 2006
The former Minister of Justice and Attorney General Thomas Marshall, Q.C. (left) receiving the Lamer Commission of Inquiry Report into the administration of Justice from Commissioner Antonio Lamer.

As well, the Minister of Justice and Attorney General, Jerome P. Kennedy, Q.C., requested that a Task Force be formed to examine the operation of the criminal justice system in St. John's, with particular emphasis on the processing of cases in the St. John's Provincial Court and to make practical recommendations to increase efficiency and reduce delay without compromising fundamental principles of justice. The report of this Task Force was released in April 2008 (http://www.justice.gov.nl.ca/just/publications/Report%20on%20Criminal%20Justice%20Efficiencies.pdf). At this time, the Department is working toward implementation of this report. Budget 2008 supported the report with over $700,000 in funding.

Additionally, the Public Prosecutions Division undertook an internal review of the Division known as "Project Phoenix". This internal review resulted in 39 recommendations and an implementation plan has been developed to address these recommendations. An external review is also being carried out by Justice William Marshall and it is anticipated that recommendations will result from this review.

An independent review of adult corrections has been initiated by the provincial government. This review will take into consideration policies, procedures and administration with a goal of improving the working and living conditions of Her Majesty's Penitentiary and other correctional facilities in Newfoundland and Labrador. The terms of reference of the independent review include such matters as the organizational structure of facilities, physical infrastructure, health services and programming and internal communications. A review of the strip search policies of the Newfoundland and Labrador Youth Centre are also included in this review.

Family Justice Services has undergone a tremendous period of growth in 2007-08. In Winter of 2008, the Public Service Secretariat was engaged to conduct a review of Family Justice Services to assess this evolving organization and to assist with proposing an appropriate future governance structure for Family Justice Services. Recommendations and implementation are anticipated for the 2008-09 fiscal year.

These internal and external reviews of various areas of the justice system have provided an opportunity to examine the system as whole, to take steps to address identified issues and to enhance the positive work that is happening.

Opportunities and Challenges

Aging infrastructure continues to be a challenge for the Department of Justice. The RNC is in need of upgrading and expansion to its Headquarters and Annex Building to accommodate the increased staff and programs and in view of the aging infrastructure. In the 2008-09 fiscal year $1.4 million was provided to hire a prime consultant to perform final planning and design activities.

The centre block of Her Majesty's Penitentiary was originally constructed in 1859 and this correctional facility is in need of replacement to allow for the proper offering of necessary programs. In the 2007-08 Budget, the Province allocated $500,000 to begin the development of a fiscal framework around the planning and design of a new correctional facility. The Province continues to lobby the federal government to play a major role in funding a new penitentiary for Newfoundland and Labrador.

Globally, countries are experiencing the trend of urbanization. Newfoundland and Labrador is also experiencing this trend. For the RNC, this is a particular challenge on the Northeast Avalon, where plans will need to be in place to effectively manage the impact of the rising population.

The Province is experiencing an improved economy. While this is a welcomed opportunity, it will pose a challenge for police forces to address the increase in criminal activity that is often associated with an improved economy. For example, this Province is seeing an increase in the use of illegal and illicit drugs and associated criminal activity. This is a significant priority for the RNC and the RCMP in this Province. The RNC saw the size of its drug team double this past fiscal year. The RCMP established a new Street Level Drug Enforcement Team in Labrador, and added to the RCMP Drug Sections in St. John's, Corner Brook and Gander. These enhancements will provide an opportunity for both police forces to further concentrate on these crimes in 2008-09.

The RNC currently has a significant number of officers who are now eligible to retire and a significant number who will be eligible to retire in the near future. Over the past four years, work has been ongoing to address this issue, with 84 recruits having been hired between 2004 and the end of the 2007-08 fiscal year. It will be a challenge to recruit and train new officers to replace those who have retired. However, this has also provided an opportunity to promote the important role the RNC plays in the province.

RCMP Regular Member positions have increased by 28 since 2004-05. While this is a welcome addition to the RCMP resource pool it creates a need for civilian employee growth as well. Police work today demands a greater proportion of administrative and technology support than police investigations of past years.

Opportunities and Challenges

The benefits of joint police force operations in Crime Stoppers, Violent Crime Linkage Analysis System (ViCLAS), National Sex Offender Registry, Criminal Intelligence Section, Corner Brook Drugs and the Corner Brook Joint Force Operation have long been recognized by both police forces in the province as significant opportunities.

"True peace is not merely the absence of tension: it is the presence of justice."

~ Martin Luther King, Jr.
(January 15, 1929 - April 4, 1968)

Martin Luther King, Jr. was an American reverend, activist and prominent leader in the American civil rights movement. He led the Montgomery Bus Boycott (1955–56) and helped found the Southern Christian Leadership Conference (1957), serving as its first president. His efforts led to the 1963 March on Washington, where King delivered his "I Have a Dream" speech. There, he raised public consciousness of the civil rights movement and established himself as one of the greatest orators in U.S. history.

In 1964, King became the youngest person to receive the Nobel Peace Prize for his work to end segregation and racial discrimination through civil disobedience and other non-violent means. His efforts also focused on ending poverty and opposing the Vietnam War, both from a religious perspective.

King was assassinated on April 4, 1968, in Memphis, Tennessee. He was posthumously awarded the Presidential Medal of Freedom in 1977 and Congressional Gold Medal in 2004; Martin Luther King, Jr. Day was established as a national holiday in the United States in 1986.

Source: http://en.wikipedia.org/wiki/Martin_Luther_King,_Jr.

Appendix A

Financial Statements

DEPARTMENT OF JUSTICE
STATEMENT OF EXPENDITURE AND RELATED REVENUE
FOR THE YEAR ENDED 31 MARCH 2008 (Unaudited)

Expenditure and revenue figures included in this document are un-audited and based on public information provided in the Report of the Program Expenditures and Revenues of the Consolidated Revenue Fund for Fiscal Year ended 31 March 2008. Audited financial statements are a requirement at the government level and are made public through the Public Accounts process, however, the Department of Justice is not required to provide a separate audited financial statement.

You can obtain a copy of the full report by visiting: http://www.fin.gov.nl.ca/ComptrollerGeneral/publications.htm or by contacting:

Comptroller General's Office
P.O. Box 8700
St. John's, NL
A1B 4J6

Phone: (709) 729-2341

Financial Statements

	ACTUAL ($)	ESTIMATES AMENDED ($)	ESTIMATES ORIGINAL ($)
1.1.01. Minister's Office	282,131	290,500	261,900
1.2.01. Executive Support	1,407,439	1,417,800	894,100
1.2.02. Administrative and Policy Support	1,783,901	1,854,900	2,118,600
Less Related Revenue (Federal)	(41,452)	(147,900)	(147,900)
Less Related Revenue (Provincial)	(204,728)	(63,000)	(63,000)
1.2.03. Strategic Human Resource Management	1,171,674	1,228,200	1,032,500
1.2.04. Legal Information Management	861,525	865,200	903,700
Less Related Revenue (Provincial)	(29,000)	(29,000)	(29,000)
1.2.05. Administrative Support	685,623	1,013,500	1,158,500
1.3.01. Fines Administration	743,847	762,000	1,008,900
Less Related Revenue (Provincial)	(663,479)	(700,000)	(700,000)
2.1.01. Civil Law	7,958,001	8,310,400	8,731,300
Less Related Revenue (Provincial)	(5,450)	-	-
2.1.02. Sheriff's Office	3,207,413	3,286,400	3,244,800
2.1.03. Support Enforcement	1,297,444	1,463,500	1,514,800
Less Related Revenue (Federal)	-	(561,500)	(561,500)
2.1.04. Access to Information and Protection of Privacy	462,855	493,100	651,000
2.2.01. Criminal Law	5,180,285	5,262,200	5,949,300
2.3.01. Legal Aid and Related Services	9,788,100	9,989,000	9,989,000
Less Related Revenue (Federal)	(239,325)	(2,313,900)	(2,313,900)
2.3.02. Commissions of Inquiry	2,294,724	4,089,800	151,000
2.3.03. Office of the Chief Medical Examiner	466,942	508,300	483,300
2.3.04. Human Rights	423,138	435,700	444,800
2.4.01. Legislative Counsel	382,429	386,300	496,200
3.1.01 Supreme Court	4,830,396	4,926,400	5,250,700
Less Related Revenue (Federal)	(14,881)	(15,600)	(15,600)
Less Related Revenue (Provincial)	(527,425)	(272,000)	(272,000)
3.2.01 Provincial Court	8,769,437	8,844,500	8,606,300
Less Related Revenue (Provincial)	(62)	-	-
3.3.01. Court Facilities	3,711,569	9,449,300	11,300,000
4.1.01. Royal Newfoundland Constabulary	39,907,466	40,200,200	31,693,300
Less Related Revenue (Federal)	(262,365)	(143,100)	(143,100)
Less Related Revenue (Provincial)	(277,692)	(263,700)	(263,700)
4.1.02. Royal Canadian Mounted Police	52,335,234	52,488,100	53,993,400
Less Related Revenue (Provincial)	-	(190,200)	(190,200)
4.1.03. Public Complaints Commission	162,408	176,900	266,800
4.1.04. Royal Newfoundland Constabulary (Capital)	580,955	670,000	850,000
4.2.01. Adult Corrections	24,787,327	25,071,500	23,796,100
Less Related Revenue (Federal)	(4,266,305)	(3,520,000)	(3,520,000)
Less Related Revenue (Provincial)	(809,823)	(624,000)	(624,000)
4.2.02. Youth Secure Custody	6,314,916	6,484,900	6,817,400
Less Related Revenue (Federal)	(4,874,615)	(2,823,600)	(2,823,600)
4.3.01. Safer Communities and Neighbourhoods	30,050	55,300	193,900
5.1.01. Inland Fisheries Enforcement	2,165,063	2,193,000	2,045,400
Total Expenditures - Department of Justice	181,992,292	192,216,900	183,847,000
Total Related Revenue	(12,216,602)	(11,667,500)	(11,667,500)
TOTAL: DEPARTMENT	**169,775,690**	**180,549,400**	**172,179,500**

Appendix B

2008-11 Strategic Directions

2008-11 Strategic Directions

1. Title: Public Protection, Order and Safety

Outcome Statement:

Improve public protection, order and safety for the people in Newfoundland and Labrador.

This outcome supports the policy direction of government and will require systematic intervention in the following areas:

Components of Strategic Direction	Applicable to other Entities Reporting to the Minister	This Direction is addressed:		
		in the department's strategic plan	in the department's operational plan	in the branch/ divisional work plans of the department
Police deployment, recruitment and training			√	√
Planning for new facilities			√	
Court Security				√
Responses to family violence		√	√	√
Organized Crime			√	

2008-11 Strategic Directions

2. Title: Access to Justice

Outcome Statement:

Improved access to the justice system which includes enhanced responses for vulnerable groups.

This outcome supports the policy direction of government and will require systemic intervention in the following areas:

Components of Strategic Direction	Applicable to other Entities Reporting to the Minister	This Direction is addressed:		
		in the department's strategic plan	in the department's operational plan	in the branch/ divisional work plans of the department
Court facilities			√	
Specialized Courts		√		
Videoconferencing			√	
Adult Alternative Justice		√		

3. Title: Public Trust and Confidence

Outcome Statement:

Improve public trust and confidence in the justice system.

This outcome supports the policy direction of government and will require systematic intervention in the following areas:

Components of Strategic Direction	Applicable to other Entities Reporting to the Minister	This Direction is addressed:		
		in the department's strategic plan	in the department's operational plan	in the branch/ divisional work plans of the department
Public Prosecutions Revitalization		√		
Adult Corrections Planning			√	
Gender Equity			√	√

2008-11 Strategic Directions

4. Title: Labrador and Aboriginal Responses

Outcome Statement:

Enhanced justice services in Labrador that are sensitive to the culture and needs of aboriginal people and communities.

This outcome supports the policy direction of government and will require systematic intervention in the following areas:

Components of Strategic Direction	Applicable to other Entities Reporting to the Minister	This Direction is addressed:		
		in the department's strategic plan	in the department's operational plan	in the branch/ divisional work plans of the department
Enhancing interpreting and translation capacity		√	√	
Culturally appropriate programming			√	
Labrador Justice facilities			√	

5. Title: Innovation and Efficiencies

Outcome Statement:

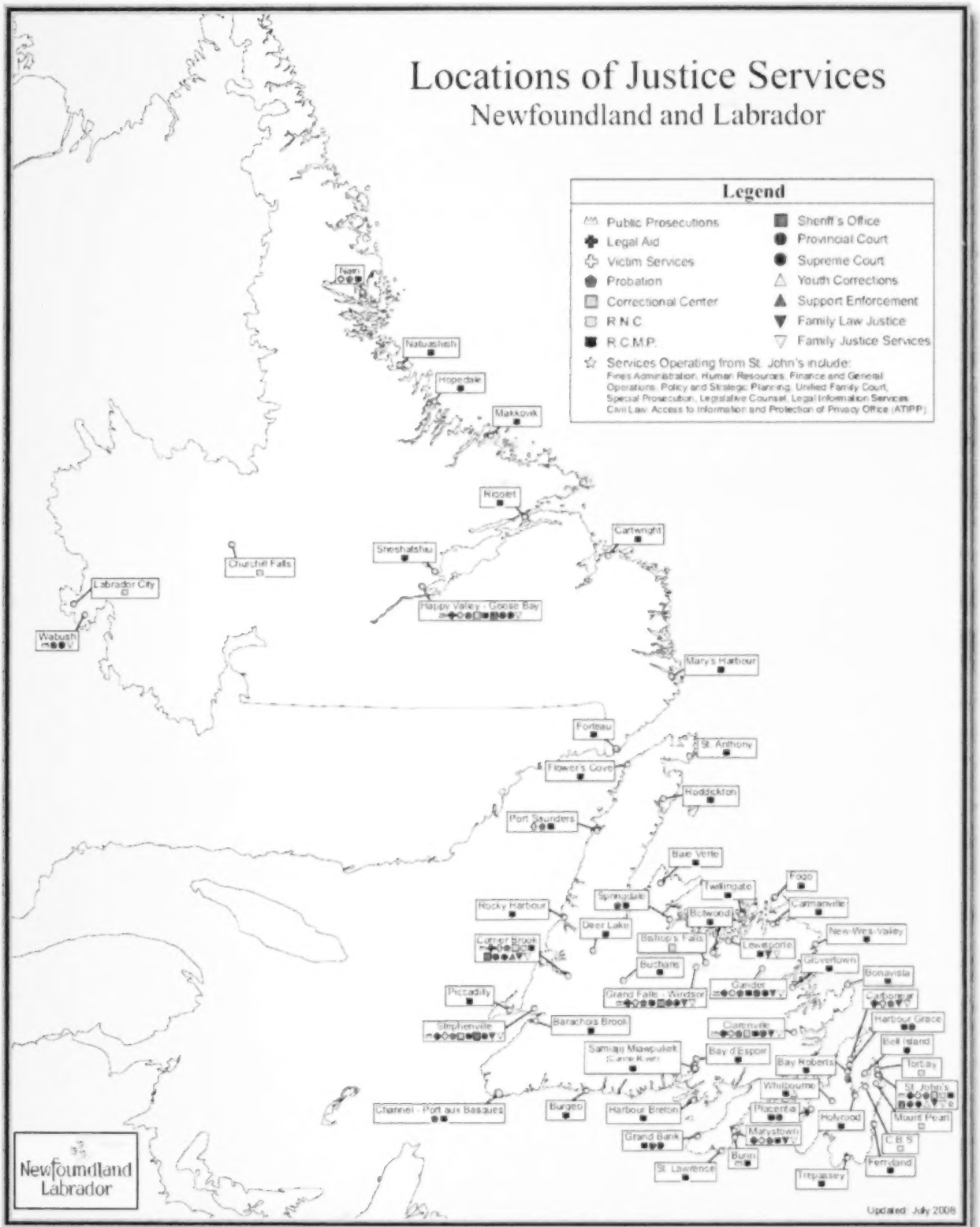
Innovative approaches that enhance efficiencies in the justice system.

This outcome supports the policy direction of government and will require systematic intervention in the following areas:

Components of Strategic Direction	Applicable to other Entities Reporting to the Minister	This Direction is addressed:		
		in the department's strategic plan	in the department's operational plan	in the branch/ divisional work plans of the department
Legal Aid			√	√
Civil Law			√	
Task force on criminal justice efficiencies		√		
Information Management			√	

Appendix C

Map of the Department of Justice Service Locations


Locations of Justice Services
Newfoundland and Labrador
Legend
Public Prosecutions
Legal Aid
Victim Services
Probation
Correctional Center
R.N.C.
R.C.M.P.
Sheriff's Office
Provincial Court
Supreme Court
Youth Corrections
Support Enforcement
Family Law Justice
Family Justice Services
Services Operating from St. John's include:
Fines Administration, Human Resources, Finance and General Operations, Policy and Strategic Planning, Unified Family Court, Special Prosecution, Legislative Counsel, Legal Information Services, Civil Law, Access to Information and Protection of Privacy Office (ATIPP)
Nain
Natuashish
Hopedale
Makkovik
Rigolet
Cartwright
Sheshatshiu
Churchill Falls
Labrador City
Happy Valley - Goose Bay
Wabush
Mary's Harbour
Forteau
St. Anthony
Flower's Cove
Hoddeston
Port Saunders
Baie Verte
Twillingate
Fogo
Springdale
Rocky Harbour
Botwood
Carmanville
Deer Lake
Bishop's Falls
Lewisporte
New-Wes-Valley
Corner Brook
Buchans
Gander
Glovertown
Bonavista
Grand Falls - Windsor
Carbonear
Pleasantville
Harbour Grace
Stephenville
Barachois Brook
Clarenville
Bell Island
Sarnaju Mawpukek
Bay d'Espoir
Bay Roberts
Torbay
Whitbourne
St. John's
Placentia
Holyrood
Mount Pearl
Channel - Port aux Basques
Burgeo
Harbour Breton
Marystown
C.B.S.
Grand Bank
Burin
Pennyland
St. Lawrence
Trepassey
Newfoundland
Labrador
Updated: July 2008

Appendix D

Electoral Boundaries Commission

Electoral Boundaries Commission

The Electoral Boundaries Commission was active in 2006 and developed a report of recommendations which it presented to government. Once the report was submitted the Commission was disbanded. An Electoral Boundaries Commission will be appointed again in 2016, at which time, it will meet its planning and reporting requirements as appropriate under the *Transparency and Accountability Act*.

In the interim, this appendix will serve to describe the activities of the Commission when it is active as prescribed in the *Electoral Boundaries Act*.

Overview

The *Electoral Boundaries Act* states the Electoral Boundaries Commission shall consist of five members. The chairperson is to be appointed by the Chief Justice of Newfoundland and Labrador and the additional four members are to be appointed by the Speaker of the House of Assembly.

The Commission is responsible to the Minister of Justice and its financial information is included in the financial information for the Department of Justice.

Mandate

The Commission is directed to divide the Province into 48 proposed one-member districts. The Act provides that the Commission divide the Labrador portion of the Province into four proposed districts and must describe the boundaries of those districts in such a manner that the proposed new districts conform as closely as practicable to the present districts. With regard to the island portion of the Province, the Commission shall determine the boundaries by obtaining a quotient for each proposed district by dividing the total population of the Province (except that portion of the total population living within the area of the Province comprising Labrador) by the number 44.

The Commission must assume that the proportion of electors to the general population is constant throughout the Province. Where the Commission considers it necessary to do so, they may depart from the quotient not to a greater extent than 10 per cent more or 10 percent less of the quotient. The Commission may also recommend the creation of a district with a population that departs from the quotient up to 25 per cent more or 25 per cent less of the quotient, where the Commission concludes that the departure is warranted by special geographic considerations.

The Commission will submit a report to the Minister of Justice setting out its recommendations concerning the division of the Province, the description of the boundaries and the name to be given to each district, which names shall incorporate the historical and geographical factors that the Commission considers appropriate.

Photo Credits

	L: Supreme Court of Newfoundland and Labrador R: Unified Family Court *Photos on file with Department of Justice	L: Pg 2 R: Pg 2
	Aboriginal Justice Conference Top-L: Conference participants Top -R:David Penashue, Ken Mesher, Chief Misel Joe, Mary Adams, Julianna Hill and Jean Crane. Btm-L: Mary Adams lighting the kullik. Btm-R: Sheshatshiu (Mukashan Players) portraying "Mukashan" the ancient Innu celebration of a successful hunt which demonstrates respect for animal spirits. *Photos provided by Renee Byrne	Top-L:Pg 16 Top -R:Cover & Pg 16 Btm-L: Pg 16 Btm-R:Pg 16
	Royal Newfoundland Constabulary (RNC) Top: RNC Recruits of 2007 Mid-L: Stable Opening *Photo by Bud Gaulton Mid-C: Stable Opening *Photo by Bud Gaulton Mid-R: RNC Crest Btm-L: Mount Pearl Office Official Opening *Photo taken by Dan Maher Btm-R: RNC Building , Corner Brook *Photo on file with Department of Justice	Top: Pg 4 Mid-L: Pg 13 Mid-C: Pg 13 Mid-R: Pg 28 Btm-L: Pg 2 & Pg 13 Btm-R: Pg 2

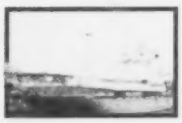
Photo Credits

	Adult Corrections Top-L: Valerie Byrne, Correctional Officer Top-R: William Clarke, Correctional Officer Mid-L: Adult Corrections Crest Mid-R - Rick Tilley, Correctional Officer Btm -L: Lt. Tom Noseworthy, Her Majesty's Penitentiary *All photos above Photos taken by Myles Hayden. Btm-R: Newfoundland and Labrador Correctional Centre for Women *Photo taken by Acting Lt. Elywin Burke.	 Top-L: Cover & Pg 8 Top-R: Pg 2 and Pg 8 Mid-L: Pg 8 Mid-R: Pg 8 Btm-L: Pg 8 Btm-R: Pg 2
	Sheriff's Officers L-L-R: Andrew Peddle, Derek Peddle, and Darren Noftall, Sheriff's Officers. R:Front: T. Cuomo, H. Jacobs, Justice D. Orsborn; J. Kennedy, Minister, Chief Judge M. Reid, C. Curran, J. McDonald, High Sheriff Mid: D. Noftall; D. Whelan, E. Lamkin, P. Parsons, T. Dawson-Ryan, T. Elliott; A. Peddle, S. Kelly, S. Manual, R. Cansdale Back: R. Reeve, D. Green, R. Drover, W. Broomfield, J. Kerrivan, I. Strang, M. Walsh, T. Power, M. Clements, H. Jones. Sworn in previously: M. Stanford.	 Top-L: Cover & Pg 2 Top -R: Pg 10
	Support Enforcement Division	Pg 9

Photo Credits

 	Fines Administration Division Top: Carleen Noftall, Pat Denine and Gene Hennebury. Btm: Kim Skanes	Top: Pg 10 Btm: Pg 2 & Pg 10
	Victim Services	Pg 9
	Adult Alternative Justice Program L-R: Ted Cardwell, Scott Morton-Ninomiya, Donovan Molloy and Catherine Shortall.	Pg 11
	Provincial Court of Newfoundland and Labrador *Photo on file with the department of Justice	Pg 2
 	Newfoundland and Labrador Youth Centre Top: Jocelyn Brown Btm:Steve Roach. *Photos taken by Andrea Wall	Top: Pg 10 Btm: Pg 10

Photo Credits

	Glynne Faulkner, Public Prosecutions	Pg 2 & Pg 11
	Top - Deputy Commissioner - Atlantic Region, RCMP, Lt. Governor, Province of Newfoundland and Labrador RCMP Commissioned Officers, Newfoundland and Labrador 2007-2008. Back Row (Left to Right): Insp. Greg Bursey, OIC Labrador District, Supt. Dan Nugent, Career Development and Resourcing Officer, Atlantic Region, C/Supt. Ruby Burns, OIC Human Resource Management, Atlantic Region, Supt. Greg Morrow, District Policing Officer, Area Management East, Insp. Mark McGowan, OIC Federal Policing, Supt. Harvey Szabo, OIC Operational Support Services, C/Supt. Bill Smith, OIC Criminal Operations, Supt. Dave Dort, District Policing Officer, Area Management West, Insp. Maggie Smith, OIC Atlantic Region Recruiting, Insp. Leigh Desroches, OIC Financial Crimes Front Row (Left to Right): Deputy Commissioner Harper Boucher, Deputy Commissioner, Atlantic Region, Honourable Edward Roberts, Lieutenant Governor of Newfoundland and Labrador (2002-2007), Assistant Commissioner Gerry Lynch, Commanding Officer, Newfoundland and Labrador. Missing from the photo is Insp. Trudy Murray, OIC Career Development and Resourcing, Newfoundland and Labrador.	Top: Pg 12
	Mid: RCMP vehicles, RCMP Officers and community outreach.	Mid: Pg 4 & Pg 12
	Btm- RCMP Crest	Btm: Pg 28
	*Photos provided by Helen Escott, Public Affairs and Communications Unit, RCMP.	

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Newfoundland
Labrador